

MEMO ENDORSED

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June 27, 2007

VIA FACSIMILE

The Honorable Kenneth M. Karas
United States District Court
Southern District of New York
500 Pearl Street, Room 920
New York, NY 10007

Re: Ello v. Singh, et al., Case No. 05 CV 9625

Dear Judge Karas:

As you know, we represent Defendants Ishry Singh, Laborers-Employers Cooperation and Education Trust Fund ("LECET"), Mason Tenderers District Council Trust Funds ("MTDC Funds"), Raymond Pocino, as Trustee of the MTDC Funds, and John Vigra, MTDC Funds' Director, in the above-referenced matter. We write in furtherance of our telephone request for a rescheduling of the oral argument previously set for July 19, 2007. I make this request in order to attend to medical treatment of a family member out of state which is scheduled for that week. On June 21 I left telephone messages for Ruth Pollack, counsel for Plaintiff, and for Samuel Rosenthal, as counsel for the Union, requesting consent to a postponement for this reason. To date, I have not heard from Ms. Pollack. Mr. Rosenthal and Terrance Reed, counsel for the Union, have consented to this request.

In the event that Your Honor is prepared to reschedule argument, I have solicited available alternate dates from Messrs. Rosenthal and Reed and would be prepared to contact Ms. Pollack to do the same. I appreciate Your Honor's consideration of this request.

Respectfully submitted

s/ *Kathleen M. McKenna*

Kathleen M. McKenna

cc: Ruth M. Pollack, Esq. (by fax)
Terrance Reed, (by fax)
Samuel Rosenthal, Esq. (by fax)
Deidre A. Grossman, Esq.

The Court will hold oral argument on

July 17, 2007, at 10 am.

SO ORDERED

KENNETH M. KARAS U.S.D.J.

6/29/07

*** TOTAL PAGE .02 ***